

**BY-LAWS
OF
SHERIDAN AREA PARK & RECREATION DISTRICT
ARTICLE I**

Park & Recreation District Powers And Objectives

1. The Sheridan Area Park District (hereinafter "District") is established for the betterment, operation, maintenance, and/or administration of park and recreation land and programs within the Sheridan High School District.
2. The name of the District shall henceforth be known as the Sheridan/Alder Park and Recreation District.
3. The District Commission (hereinafter "Commission"), consisting of three (3) members, shall have all the powers enumerated under Mont. Code Ann. § 7-16-2423 (1999).
4. The make-up of the Commission shall consist of two members from the Sheridan Elementary School District and one member from the Alder Elementary School District, which together comprise the Sheridan High School District.
5. This District, through its Commissions shall carry out the terms, provisions, suggestions, requests and directives hereinafter set forth in these Bylaws, with the purpose of meeting the common objectives of the District.

ARTICLE II

Sheridan/Alder Park & Recreation District Commission

1. Authority of Commission. Pursuant to § 7-16-2423, M.C.A., the District Commission has complete authority, except as specifically limited by these Bylaws, to act as necessary for the betterment, operations, maintenance and administration of District land within the Sheridan High School District Boundaries.
2. Number of Members of the Commission. Pursuant to Resolutions 6-2000 and 24-2000, there shall be three members of the Commission.
3. Vacancies and Election. After the appointment of the initial commission and except in the case of vacancies, all members of the Commission must be elected by the electors of the District. Candidates for the office of member of the Commission must be nominated by petition filed with the office of the election administrator not earlier than 135 days or later than 75 days prior to the Election Day and signed by at least five electors of the District. If the number of candidates is equal to or less than the number of positions being elected, the election administrator may cancel the election in accordance with §13-1-304 M.C.A.. If an election is not held, the county governing body shall declare elected by acclamation each candidate who filed a nominating petition for a position. If no nomination petition is filed for an office, the county governing body shall appoint a member to fill the term. A person appointed pursuant to this subsection has the same term and obligations as a person elected to fill the office.
4. Terms of Office. The term of office of elected members commences upon their being elected and qualified. The term of office of an elected member of the Commission is 4 years, except that a simple majority of the members of the first elected board shall serve terms of 2 years, with a minority of the board serving terms of 4 years. The members serving 2-year terms must be elected by lot.
5. Vacancies. A vacancy occurring during the term of office of a member must be filled by appointment by the remaining members of the Commission. The term of the appointed member expires upon the election and qualification of an elected successor or upon the election of a member to fill the unexpired term of the vacant office. The election must be held at the next scheduled school elections held pursuant to § 20-3-304 M.C.A..

6. Resignation. Any member of the Commission may resign at any time by giving written notice of his or her resignation to the other members of the Commission.
7. Compensation. Members of the Commission serve without compensation.

ARTICLE III

POWERS AND DUTIES OF THE COMMISSION

Pursuant to § 7-16-2423, M.C.A., and in the exercise of its general grant of powers, the Commission may:

1. employ or contract with administrative, professional, and other personnel necessary for the operation of the District;
2. with the concurrence of the county governing body or bodies, lease or purchase real property for the use as park and recreation land;
3. lease, purchase, or contract for the purchase of personal property including property that after purchase constitutes a fixture on real property;
4. lease, purchase, or contract for the purchase of buildings and facilities on lands controlled by the District and equip, operate and maintain the buildings and facilities;
5. adopt by resolution rules for the operation and administration of all parks and recreational facilities under its control;
6. impose by resolution and collect charges for those services and facilities provided by the District that the Commission considers necessary for the prudent operation of the District;
7. subject to §15-10-420 M.C.A., establish a property tax mill levy for the operation of the District as provided in §7-16-2431 M.C.A.;
8. establish a fee on each household for the operation of the District as provided in § 7-16-2431 M.C.A., and administer such fee in accordance with the operations, maintenance and administration of park and recreation land within the territory of the District according to the powers, authority and duties listed herein.
9. enter into agreements with any public or private entity or person for the operation of parks or recreational areas either by the District on behalf of the landowner or by another entity on behalf of the District;
10. with the concurrence of the county governing body or bodies, accept donation of land or recreational-type easements on land within the District for park or recreational purposes on behalf and in the name of the county or counties;
11. accept donations and devises of money or personal property.

ARTICLE IV

Meetings

The Commission shall meet the last Friday of every month unless the Commission decides otherwise in advance.

ARTICLE V

Amendments To By-Laws

Amendments to these By-Laws may be proposed at any regular meeting of the Commission, and must be adopted by the affirmative vote of two thirds (2/3) of the Commission.

ARTICLE VI

Waiver Of Park District Fees

Sheridan/Alder Park District Fee on each household may be waived upon request of the tax payer only if:

1. The household for which the waiver is requested meets no less than one of the Assessment Waiver Criteria developed and adopted by the commission; and
2. The household for which the waiver is requested has filed a written request for waiver of the Sheridan/Alder Park and Recreation District Fee at least 28 days in advance of the date the fee is due, and the waiver is accepted by the affirmative vote of two thirds (2/3) of the Commission; or
3. The household seeking the waiver has appeared before all three members of the Commission 28 days in advance of the date the fee is due, and the waiver is accepted by the affirmative vote of two thirds (2/3) of the Commission; or
4. At any other time upon a request for waiver accepted by the affirmative vote of all three members of the Commission.

Resolution

BE IT RESOLVED by the members of the Commission of the Sheridan/Alder Park & Recreation District, at a meeting of the Commission held on the _____ day of _____, _____, at the hour of _____ o'clock ____m. at the offices of _____, Sheridan, Montana, that the Bylaws executed on that same day by the board are hereby ratified and approved as the Bylaws of Sheridan/Alder Park & Recreation District.

DATED this _____ day of _____, _____.

SHERIDAN PARK & RECREATION DISTRICT

BY: _____

BY: _____

BY: _____